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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,583	02/27/2002	Jurgen Sienel	Q68454	3868
7590 09/19/2008 Sughrue Mion Zinn Macpeak & Seas 2100 Pennsylvania Avenue NW Washington, DC 20037-3213				
EXAMINER ARMSTRONG, ANGELA A				
ART UNIT 2626		PAPER NUMBER		
MAIL DATE 09/19/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/069,583

**Applicant(s)**

SIENEL ET AL.

**Examiner**

ANGELA A. ARMSTRONG

**Art Unit**

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6/25/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 15-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 25, 2008 has been entered.

This Office Action is in response to Applicant's amendment filed June 25, 2008, in which applicant has amended claims 1, 5, 8 and 10, cancelled claims 11-14 and added claims 15-18. Currently claims 1-10 and 15-18 are pending.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-10 and 15-18 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification does not disclose wherein said switch enables a simultaneous interaction with a website using both said control signal having said speech recognition related part and said control signal having said non-speech recognition related part.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urs et al (US Patent No. 6,292,781).
5. Regarding claim 1, Urs discloses method and apparatus for facilitating distributed speech processing in a communication system, and provides support for a telecommunication system (Figure 3; col. 7, line 3 to col. 9, line 52) comprising a terminal, a switch and at least a part of an I-net comprising a memory for storing I-net information blocks at locations defined by I-net addresses, with at least parts of said I-net addresses being generated in response to control signals originating from said terminal (col. 7, lines 54-65), and with at least parts of said I-net information blocks being sent from said memory to said terminal in the form of response signals(col. 7, line 3 to col. 9, line 52), each of said control signals and said response signals comprising both speech recognition (user inputs voice commands or communication service requests) and non-speech recognition (keypress information from keypad 320) related parts (communication unit (102) requests communication services from the communication infrastructure (101) that support both voice and data communication and as such, the system of Urs reads on the detection and appropriate processing of speech and non-speech data in control and/or response signals, since the system of Urs specifically provides for processing both voice

and data information in the communication signals transmitted to and from the user and the various components of the communication system with the voice and data path being utilized simultaneously by the communication unit when the wireless resource communication is shared); wherein said switch comprises a detector for detecting speech-recognition and non-speech-recognition related parts in said control signals and said response signals (col. 7, line 3 to col. 9, line 52), and a processor for, in response to a detection of said speech-recognition or non-speech-recognition related parts, processing said control signals and said response signals (col. 7, lines 33-65—data connection and voice connection for detecting speech command, processing the user's request, and providing the requested information via the data connection ), said I-net comprising at least one of an intranet or Internet (col. 7, lines 54-65; col. 8, line 12-col. 9, line 52). Urs does not disclose all details of the switch details of the control signals for simultaneous interaction in a single embodiment of the invention. However, Urs describes an alternate embodiment in which the system allows for simultaneous voice and data mode (col. 12, lines 3-12) from the communication unit since the paths share the wireless resource and it would have been obvious to implement the simultaneous voice and data mode as described in the alternate embodiment for the purpose of providing the users flexibility in utilizing distributed speech processing capabilities, as suggested by Urs (col. 1, lines 49-50).

Regarding claim 2, Urs discloses wherein said processor, in response to a detection of a speech-recognition related part in said control signals, routes said speech-recognition related part to a server for converting said speech-recognition related part into an address signal destined for said memory (col. 7, line 54 to col. 8, line 11), and with said processing comprising, in response to a detection of a non-speech-recognition related part in a control

signal, converts said non-speech-recognition related part into an address signal destined for said memory (col. 8, lines 12-41).

Regarding claim 3, Urs disclose the terminal comprises a preprocessing unit (316) for preprocessing speech-recognition related parts of said control signals, with said server comprises a final processing unit for final processing said preprocessed speech-recognition related parts (col. 8, line 42 to col. 9, line 7).

Regarding claim 4, Urs discloses wherein said processor, in response to a detection of a speech-recognition related part in a response signal, routes said speech-recognition related part to said server, and with said processing comprising, in response to a detection of a non-speech-recognition related part in said response signal, forwards said non-speech-recognition related part to said terminal (col. 7, line 3 to col. 9, line 52).

Regarding claim 15, Urs discloses the switch enables an independent use of a speech communication channel and a non-speech communication channel to navigate from a first web page to a second web page by traversing a link (col. 11, lines 57-62).

Regarding claims 16 and 17, Urs discloses the switch merges or separates said speech recognition-related parts and said non-speech recognition- related parts (col. 11, lines 41-61; col. 12, lines 3-12).

Regarding claim 18, Urs discloses address signal a Uniform Resource Locator (col. 6, lines 37-40, as the system allows access to the Internet 214).

Regarding claims 5-10, claims 5-10 are similar in scope and content to claims 1-4 and are therefore rejected under similar rationale.

***Response to Arguments***

5. Applicant's arguments with respect to claims 1-10 and 15-18 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA A. ARMSTRONG whose telephone number is (571)272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angela A Armstrong/  
Primary Examiner, Art Unit 2626